

REMARKS

Claims 1, 4, 7, 10, and 13 have been amended to clarify the invention, and to better define the invention over the prior art. Claims 2-4, 6, 8-10, 12, 14-15 and 17-18 have been amended to obviate the §112 rejection. Claims 5, and 11 have been cancelled. No new matter has been added by any of the aforementioned changes.

The rejections of claims 1 and 13 under 35 USC §102(b) as being anticipated by Wilkins (US Patent No. 5,466,919) and claims 3 and 15 under 35 USC §103(a) as being obvious over Wilkins are in error. Independent claims 1 and 13, as amended, require the viewer to manually select one commercial message out of said plurality of said commercial messages. Wilkins teaches automatically selecting the media message based on demographical or psychological data. Thus, claims 1 and 13 and claims 3 and 15 which depend on claims 1 and 13, respectively, are not achieved nor for that matter rendered obvious by Wilkins.

The Examiner's rejection of claims 2, 4, 6, 7-10, 12, 14, and 16-18 under 35 USC §103(a) as being anticipated by Wilkins in view of Wachob (US Patent No. 5,155,591) also is in error. The deficiencies of Wilkins vis-a-vis Applicants' claim 1 and 13 are discussed above. Like claims 1 and 13, independent claims 7 and 16, as amended, requires the viewer to manually select one commercial message out of said plurality of said commercial messages.

Wachob does not provide the missing teachings of Wilkins. Wachob teaches using demographic data about the viewer to automatically select the commercial message that the viewer will receive. Thus, no combination of Wilkins and Wachob would achieve or render obvious claims 7 and 16. Claims 2, 4, 6, 8-10, 12, 14, and 17-18 depend, directly or indirectly, on independent claims 1, 7, 13 or 16, as the case may be, and are allowable for the same reasons above adduced for claims 1, 7, 13 and 16, and for their own additional limitations.

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Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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